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H – 992

International Court of Justice

H0992-0002

OFFICIAL TRANSCRIPT OF TESTIMONY FOR THE DEFENSE OF ORGANIZATIONS, TAKEN BEFORE A COMMISSION APPOINTED BY THE INTERNATIONAL MILITARY TRIBUNAL PURSUANT TO PARAGRAPH 4 OF THE ORDER OF THE TRIBUNAL DATED 13 MARCH 1946.

26 June 1946

COMMISSIONER:

Mr. I. D. McIlwraith

THE GESTAPO

(THE COMMISSION CONVENED AT 1420 HOURS.)

DR. KARL HEINZ HOFFMANN, a witness, took the stand and testified as follows:

BY THE COMMISSIONER:

Raise your right hand and repeat after me: I swear by God, the Almighty and Omniscient, that I will speak the pure truth and will withhold and add nothing.

(The witness repeated the oath.)

Q What is your full name?

A Karl Heinz Hoffmann.

Q You may sit down.

DR. MERKEL: I shall ask this witness questions concerning the tasks, aims, activities and methods of the Security Police in Denmark, the Netherlands and Norway, from 1940 to 1944, and, secondly, concerning the deportation and arrests of French Statesmen and Generals by the Gestapo.

DIRECT EXAMINATION

BY DR. MERKEL

COM. A.
Take 3 - 2
LESSER
26 June
Hoffmann

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Q Witness, will you please depict very briefly your professional career after you had taken your legal examination?

A After I had finished my education and passed ~~by~~ my legal examination and had been made judge in 1937, I applied for a position with three different authorities. I was employed by the Police and was ~~x~~ first given a position as Senior Assistant Judge in the Police Office in Koblenz. Afterwards I was made Deputy there and became Political Consultant for the Government. In 1939 I took over the same position in Düsseldorf. At the outbreak of war I became Consultant of the Inspector of Security Police and after the occupation of the Netherlands I was transferred to the same position in Denmark and was employed with the administrative work in the office of the Commander-in-Chief of Police. In 1940 I was transferred to the Reichs Ministry of the Interior and commandeered to the Office of the Secret State Police. I was there given the division or the desk concerning itself with Western European questions until September 1943. In September 1943 I was transferred to the office of the Chief of State Police in Denmark and given charge of the Office of the Gestapo Department IV.

Q When did you enter the Party?

A On the 1st of December 1932.

Q When did you enter the SS.

A Within the scope of the coordinating decree in October or November 1939.

Q What was the highest rank you held with the SS?

A SS Stürmbannführer.

Q Had the Gestapo made preparations for training or preparations ~~xxxxx~~ work for employment of its work in Western Europe?

A As I worked as an administrative official with this office in Holland

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I should have known if any such preparation for training would have been made. No such preparation for training was carried out.

Q Did your office know anything at all concerning the general matters of the government?

A We knew nothing of this. For example, we learned of the occupation of Norway and Denmark, like everyone else, through the press, and we did not even know anything of the beginning of the west offensive although we worked concerning questions of the Dutch Border that was only 160 kilometers distant.

Q What was the position of the person who had been appointed the representative of the German Ambassador in Denmark after the occupation of Denmark by German troops?

A As Denmark had accepted the proclamation issued by Germany the sovereignty of Denmark was further recognized and the Ambassador remained such with further powers.

Q Did the Reich Plenipotentiary in Denmark have for his assistants, personnel of the Security Police and Gestapo?

A When the offices were staffed with additional men later about 10 or 15 men belonging to the criminal police and the state police were employed.

Q Did these officials have executive powers in Denmark?

A At first these officials had no executive powers which were left to the Danish Police. They were not even allowed to carry out any intelligence work.

MR. MC ILWRAITH: Are you reading the answers to these questions?

WITNESS: No.

LT. HARRIS: I would like to see the notes that the witness is using.

(Pencil notes are handed to Lt. Harris.)

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I would like the record to show that the witness has had in his hands a copy of the questions that the counsel is putting to him and also that there are pencilled notes after each question.

MR. McILWRAITH: Dr. Merkel it is perfectly in order for the witness to have notes of his previous occupations and dates but it is not suitable for him to have before him notes from which he will make answer to your questions because that will throw doubt on the validity of his testimony.

DR. MERKEL: Would you please then show in the record that the witness is no longer using my questions?

BY DR. MERKEL:

Q How did you cooperate with the Danish Police?

A The cooperation with the Danish Police, which had already existed before the occupation, was continued and the officials who were employed were charged with discussing the questions and problems that cropped up with the Danish Police.

Q Did the Danish Army continue to exist?

A Yes.

Q When and why did any change occur in this?

A Slowly acts of sabotage began to grow in Denmark which brought about a tensening of the relationship between Germany and Denmark. Above all the army urged us to stop these acts of sabotage.

Q Who created the office of the Police Attache in Denmark?

A The Office of the Police Attache was created by the Foreign Office in cooperation with the Gestapo Office in order to coordinate the police work in Denmark and at the same time further respect Danish Sovereignty.

Q Under whose jurisdiction was the Police Attache?

A He was under the jurisdiction for one thing of the Foreign Office

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and for another thing as far as the fields of work were concerned, under the jurisdiction of the different Police Offices in the Reich and he of course had to adhere strictly to the regulations laid down by the Reich Plenipotentiary.

Q Were Police Forces reinforced in Denmark at that time?

A A short time later the personnel of the offices was reinforced and at the same time, when the office of the Reichs Plenipotentiary was instituted, who was at that time Dr. Best in Denmark, the Police was allowed to do certain intelligence work in order to combat the resistance movement that was beginnning to rise.

LT. HARRIS: May I just inquire as to what time this refers to?

Q To what time does this refer and about how strong was the Police of Denmark at that time?

A This refers to the time between the fall of 1942 and the beginning of 1943, and they were about 40 officials strong at that time. I can only give an estimate of this number.

Q What attitude did the Gestapo take towards the end of 1942 when acts of sabotage began to occur more frequently?

A The position of the Gestapo at that time was that these acts of sabotage were being carried out in order to provoke Germany to take stricter measures and also stricter measures against the population so as to weaken the authority and in order to enable the resistance movement to increase its activities.

Q When were you in Copenhagen as Deputy of the Chief of Amt IV in order to study relations or conditions there?

A In November and December 1942.

Q Please depict very briefly the situation in Denmark as far as the Security Police was concerned.

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A It was proposed at that time to let the sovereignty of Denmark and the administration of the Danish Offices continue to operate so that the Danish Offices themselves should bring about again a situation of order, all the more as the Lex Orum had been created for Denmark which allowed Denmark to punish Danish Nationals itself. The sentencing of any violators or offenders was to be carried out by Danish Courts as far as possible. At this time, for example, Danish Police also took measures against parachute agents.

Q Why was a state of Martial Law declared in Denmark in 1943 contrary to these laws and the Danish Army disarmed?

A The acts of sabotage and the unrest in cities had increased and the German army feared steps by the Danish Army in its rear in case an invasion of Denmark should occur.

Q Describe briefly further developments later on.

A When the state of Martial Law was declared the Danish Government withdrew and when, in 1943, 300 Danish Nationals were arrested the situation was such that it was impossible for a new Danish Government to be formed, especially as at this time the deportation of Danish nationals of Jewish faith was being undertaken.

Q When and why was the Office of the Chief of the Security Police in Denmark instituted?

A After this state of Martial Law had been created, as there was no longer any Danish Army for the protection of the country, the Office of the Chief of Security Police had to be created for the protection of the interests of the Danes.

Q Does this represent the end of developments in Denmark on the Security Police Sector?

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A No. Further development, of course corresponded to the further political development in this country and the development of the entire military or war situation.

Q How was the Office of the Chief of the Security Police organized?

A The head of the office was the Commander. Under him there was Department 1 which concerned itself with questions of personnel and administration; Department III for the SD, Department IV for the State Police, Department V for the Criminal Police and Department VI for intelligence. There were, moreover, throughout the country, liaison offices of the Security Police and SD and Frontier Police Commissary Offices.

Q Under whose jurisdiction was the Chief of the Security Police?

A The Chief of the Security Police and the SD was under the jurisdiction of the Higher SS and Police Leader. In case of an invasion, that is if in Denmark combat actions were being carried out and in case of Martial Law, he was under the jurisdiction of the military commander-in-chief.

Q Of what personnel was the office and liaison offices of the B.D.S. composed?

A Department IV was composed 25% to 30% of officials of the criminal department of the State Police reinforced by officials of the Secret Military Police and by Danish Nationals who were used as interpreters and by people who had been drafted for emergency stay of service

Q Did the members of the State Police Offices in Denmark volunteer their services or not?

A It was not possible to volunteer for service. One was either ordered or transferred.

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COM. A.
Take 3 - 8
LESSER
26 June
Hoffman

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Q What were the missions of the Security Police in Denmark?

A The mission was the protection of the German Army from attacks and the screening off of Germany from intelligence that left from Denmark by means of agents.

Q From whom did the Gestapo Offices in Denmark receive their binding instructions and concerning what spheres of work?

A The instructions and binding orders were given by the Higher SS and Police Leader and by the Reichs Main Security Office and any political wishes of the Reichs Plenipotentiary had to be respected. In case a state of Martial Law was declared the orders of the military commander had to be carried out.

Q To what sort of work did the instructions of the Higher SS and Police Leader and to what sort of work did the instructions of the Reichs Main Security Office concern themselves?

A The Higher SS and Police Leader gave instructions concerning questions that rose from Denmark Proper and the Reichs Main Security Office gave basic instructions.

Q Why was there a separation of the Offices of the Security Police and the SD in Denmark?

A The branch offices were separate because the police had asked that only police officials should be placed in charge of such offices; ~~as otherwise~~ very often members of the SD also were placed in charge of liaison offices.

Q What was the mission of the Secret Military Police in Denmark, how strong was it and when were they taken over by the Security Police Office in Denmark?

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A Only small numbers of the members of the Secret Field Police handled questions of police work in Denmark. Later on two groups were transferred to Denmark with the purpose of being amalgamated by the Security Police. This may have been in the middle of 1944.

Q Did these members of the Security Military Police volunteer for their positions with the Security Police or not?

A No. They were drafted according to the emergency regulations.

Q What was the position and the work of the Higher SS and Police Leader in Denmark and under whose jurisdiction was he placed?

A The Higher SS and Police Leader was the highest representative of the Police in Denmark and under him there were the Order Police, the Security Police, the Waffen-SS and all Danish SS formations and also the Schallburg Corps. He was the immediate subordinate of the Reichsfuehrer-SS and held authority, as far as his sphere of work was concerned, that corresponded to that of the military commander and the Reichs Plenipotentiary in Denmark.

Q You were the head of Department IV, that is the department that concerned itself with Gestapo questions. What directives were issued to you?

A Our instructions were the protection of the German Army in Denmark, the screening off of Denmark from Germany of espionage to German, at the same time respecting Danish Sovereignty and cooperating with the Danish Police.

Q How was the employment of the Danish Police regulated?

A The Danish Police were entirely independent of us and restricted only in so far as the German Security Police carried out or held executive power within the framework of the missions just mentioned.

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Q What intention had the Higher Political Leadership Group concerning the employment of the Danish Police.

MR. McILWRAITH; Is the witness qualified to answer that question?

DR. MERKEL: In my opinion he is, for he held a very important position with the German Police when they cooperated with the Danish Police and I believe that he can answer.

MR. McILWRAITH: But is a member of the Nazi Leadership Corps?

DR. MERKEL: No, he was not, but the instructions and the missions that had been taken by this group were told to the police offices in Denmark.

MR. McILWRAITH; Very well.

BY DR. MERKEL:

A The Commander-in-Chief of the Security Police and the Higher SS and Police Leader negotiated with the Danish Police concerning the employment of Danish Police in combatting efforts of sabotage. As the State Police considered the cooperation of the Danish Police impossible, it began to carry out its own work independent of the Danish Police.

Q Was the Danish Police given the list of all the names of the persons that had been arrested by the Security Police Offices in cooperation of their work and why?

A These lists were given to the Danish Police so that the Danish Police could see to taking care of the families of the people concerned. There was a decree in the Reich stating that the State Police had to see to taking care of the families of people arrested by the State Police and that corresponding welfare x organizations had to be informed. We wanted the use of similar measures to be taken by police in Denmark made possible and we wanted to give the Danish Police an inducement to work loyally as long as possible.

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Q Were offenders given by the Security Police to the Danish Police in order to be tried by Danish Courts?

A I remember three cases where Danish Nationals who had helped other Danish Nationals of the Jewish faith to escape to Sweden being handed over to the Danish Police and secondly the Security Police had arrested people who had committed offences which were of criminal character. Members of this group who had been arrested by the German Police authorities were handed over to the Danish Police authorities. Another case concerning the murder of a certain Mrs. Meyer that had been allegedly committed for political reasons when in reality the motive was a criminal one was handed over to the Danish Police after the criminal motive had been established.

Q What was the answer given to the shootings of German soldiers by members of the Danish resistance movement?

A As the State Police assumed that these shootings had been carried out in order to make Germany take more severe measures against Denmark, the State Police employed all the measures allowed to it that had been established by the Higher SS and Police Leader as a general preventive regulation. The State Police was of the opinion that the only steps that could be taken were to find out who the criminals were. As the offenders who stood under army regulations would probably not let themselves be kept from carrying out such further measures and as any other measures would probably only result in having further numbers or groups of the population enter the resistance movement. On the person of one of the offenders a report concerning the carrying out of an order to liquidate Major Gilbert, a German intelligence officer, had been found.

Q What were the steps taken by the Chief of the Security Police in order to bring about a cooperation with the Danish Police in questions of the

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resistance movement?

A The State Police was of the opinion that the Danish Police should only be employed in carrying out measures that were of national interest to the Danish Police but should not be employed in measures or in work that was in connection with the German interests, as for example, the resistance movement. Therefore the German Police tried to prohibit the formation of all formations that rose from National Socialist organizations in the country and whose Nationals were not Germans.

Q When and why was the Danish Police finally dissolved?

A The Danish Police was ~~xxxxx~~ dissolved in December 1944 by the Higher SS and Police Leader and a part of the members of the Danish Police deported to Germany, because the German Army considered the Danish Police a threat as being the last bearers of arms in Denmark and the Danish Police had been proved to have played a considerable part in the resistance movement and acts of sabotage. In this connection the Chief of the Order Police in Jutmand was proved to have been guilty of this and also a number of other high police officials.

Q Did the State Police in Denmark have a hand in this Decree concerning the dissolving of Danish Police offices in Denmark?

A The Higher SS and Police Leader had prepared the order for the dissolving and deportation of Danish Police without using the help of the Gestapo. The Gestapo was not given a hand in this until the approval of this Decree had been established by the Higher SS and Police Leader and the Chief of the German Police. The action itself was carried out by the Order Police to whom some officials of the Security Police had been given to assist them in order to secure documents and files and in order to select Danish officials who were thought to be guilty.

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Q About how many men were commandeered to take a part in this?

A As very many police stations had to be manned I really cannot estimate the number. There was always one official with every commando that had to man one police station.

Q What alleviations or moderations did the Gestapo manage to procure for the Danish Nationals who had been arrested in this action?

A The following measures were carried out by us because the Gestapo feared a further strengthening or more acute position with the resistance movement. The leading police officials who were known to us were selected in Copenhagen and handed over into honorary custody. The office also managed that the officials who were evidently ill were also eliminated; further they managed that all officials over sixty years of age were eliminated from deportation and we reduced this age limit to 55 at our own discretion. The Danish Red Cross was asked to send packages immediately to these officials because they were not allowed to take any belongings with them. It was further managed that the older officials of the Danish Frontier Gendarmerie could be allowed to remain in Denmark. When we heard that they were to be deported to a concentration camp we applied in Berlin for such a long time until we managed to have them given over into prisoner of war camps. For this reason the Chief of the Security Police made a special trip to Berlin. Later on we continually sent commissions into the camps who were to select individuals and have them returned to Denmark.

Q Did the Gestapo have a hand in the deportation of these 2,000 Danish Police Officials and Frontier Police officials?

A These deportations were carried out by men of the Order Police.

Q How did the Jewish actions in Denmark come about?

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A A short time after the institution of the Office of the Security Police in Denmark an order was issued by the Foreign Office and the Reichs Main Security Office in Berlin that a Jewish deportation action had to be carried out.

Q What was the attitude of the Chief of the Security Police towards this problem?

A The Security Police in Denmark opposed this measure with all their means because in it they saw the signal key for a general increase of the resistance movement in Denmark.

Q Who carried out this Jewish action - who was responsible for it?

A Special forces of the Order Police had been transferred from Berlin to Denmark for this action and a representative of Eichmann, Sturmbannführer Gunther, went to Copenhagen in order to carry out this action.

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A It carried out this deportation according to it's own ideas and did not meet our demands in anyway to exclude at least the older people from these deportations.

Q On page 3517 and 3518, Document UK 56 ~~RG~~ RF 335 ~~356~~, is mentioned an order issued by Jodl on the 22nd of September, 1943, which reads:

"This Jewish deportation is to be carried out by Reichsfurhrer of the SS, who is to transfer two battalions to Denmark for this purpose."

Were these two police battalions, battalions of the security police, or could these battalions of the security police in this measure be established from this document in any other way?

A These are battalions of the order police. The only work the security police had to do was to bring up the list from the material that had been placed at ~~the~~ the disposal of the security police by the Reich Plenipotentiary, and also to order some of their officers to assist the order police.

Q On page 3521and 3522 of the German record it says:

"Especially the Danish Jews were placed under this measure, that is, the deportation. A number of them were able to escape into ~~the Sudetenland~~ Sweden with the aid of Danish patriots, but about eight or nine thousand people were seized by the Germans and deported."

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A At the most five to six hundred persons were deported.

Q How was the seizure of the Jewish property in Denmark carried out?

A A seizure of Jewish property was not carried out. The keys of the flats out of which Jews had been taken were handed over to the social ministry. The security police had further issued an order to prohibit the forcible opening of doors so that this action would not create a still greater disturbance with the population.

Q Was property seized by the security police in Denmark in any other respect?

A I only know that objects were ~~xixmmx~~ seized that were in immediate connection or execution of carrying out of illegal activities.

MR. MCILWRAITH: Dr. Merkel, have you much more about Denmark?

DR. MERKEL: I still have some documents to be discussed, at least a half an hour more.

MR. MCILWRAITH: I think we shall take a ten minute recess now.

(A ten minute recess is taken)

BY DR. MERKEL:

Q What do you understand by a final solution of the Jewish problem?

A While I worked and consulted with the Gestapo

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office I learned the following:

First of all the emigration of Jews; second, trans-settlement toward the ~~MX~~ East, for the first purpose of work, and, second, for the purpose of settlement.

Q When did you learn of the fact that the biological extermination of the Jews had been ordered?

A I heard of this after the capitulation. Before this time I had only heard that in Russia or in Poland individual ~~programs~~ pogroms against the Jews had been carried out.

Q Did you know Eichmann and were you with him frequently either in connection with your work or privately?

A Eichmann formerly belonged to Amt IV.

Q Amt Iv of the RSHA?

A He had, however, an office of his own in another part of the city. Although, he participated in the conferences and consultations of Amt IV, no mention was ever made of his problems. As Eichmann had come from the SD we of the Gestapo had no relation at all to him so that no personal contact developed. He always rejected any suggestions that I made to him to the effect that we of the Gestapo should be used in the deportation of the Jews because of the special knowledge. He, of course, referred to higher orders and considered the use of other departments as useless. Later an acute relationship developed between the two of us because we expected an increase and tightening of the resistance

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movement because of the measures.

Q Does the order you have just seen only refer to Denmark or also to the Netherlands, France and Norway?

A That refers to Denmark, Norway, the Netherlands, Belgium and France.

Q From where did you get this information?

A I washead of the Department "Western Europe" of Amt IV.

Q Were arrested people of Denmark handed over to concentration camps in Germany?

A Yes.

Q Who ordered this and what kind of inmates had been selected?

A It was ordered by Berlin and we restricted our selections and took only those people who, according to the regulations, had to expect either capital punishment or a very long imprisonment term. This restriction selection, however, could not be carried out during the first two deportations.

Q In a report of the Danish Government that has been submitted as Exhibit F 666, RF 317, it is alleged, among other things, that the Danish communists had been sent to Berlin. Did the security police have any part at all in this deportation?

A Yes, this deportation was carried out by

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the security police at the order of Berlin. The arrest of these Danish communists had, however, been carried out by Danish police at the German request at the outbreak of the German-Russian war.

Q Did any other deportation from Denmark to Germany take place?

A Aside from the deportation of Danish nationals of Jewish faith, and of the Danish police and of the Danish resistance movement, I know of none.

Q Were the conditions existing in German concentration camps known in Denmark toward the end of the war?

A In 1943 I had seen the concentration camps at Dachau and in Oranienburg and Buchenwald after the request caring for of French politicians. The shelter and food, as far as was shown to me, were good, and I was told that these inmates were even given special ration cards that were normally issued to the heavier and heaviest workers. Because of this fact, we considered the transfer to a concentration camp a lesser punishment than, for example, the pronouncement of the death sentence by German courts, When in 1944 we noted, by reason of the increased death rate, that conditions there could no longer be very good ones, we tried to refrain from sending these people to concentration camps by extending our own camps at Fröslev, and at this time the strict regulations issued by Berlin became

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less and less so that were given more and more scope in our actions.

Q Were there any concentration camps in Denmark?

A No, only this Polish detention camp in FRÖSLEV ???

Q According to what general directives were Danish nationals arrested by the security police in Denmark?

A They were arrested only if they had taken an active part in actions against Germany, either by carrying out sabotage, lessening the morale of the army and in support of these offenses.

Q You said just now that the Danish police took care of the members of a family of people who had been arrested. Was this principle continued after the Danish police was dissolved?

A The regulation was as follows:

First, every family member was able to receive information by looking into a file that reported these lists of arrests. After fourteen days every person who had a member of his family arrested was able to write letters and send packages and see the arrested person from time to time. Many members who made inquiry of the Danish foreign office concerning the reasonable cause and the probable length of arrest was given information concerning these facts. These questions were discussed several times a week with one of the leading officials of the Danish foreign ministry, and at certain intervals they were

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discussed with Hvass, who is now director of the Danish foreign ministry and these discussions were concerning more important cases and specific questions of treatment of these inmates. Morever, any family member was able to write or deal personally with the department for information and was either given an oral or written reply. Some lawyers were selected to represent these people.

Q Was the Danish Red Cross given any chance to see to the welfare of inmates, and if so, by which ones?

A Yes, the Director of the Red Cross was able to select special cases and call them to the attention of the authorities. He was able to donate special Christmas gifts and also special rations of meat if there was any need. Besides this, a Danish physician had been allowed to examine any inmate upon the request of his family, but for technical reasons this only applied to Copenhagen.

Q What counter measures did the Gestapo take to try to prevent the sabotaging of the two orders that had been issued against the resistance movement?

A All measures that did not apply to individual persons, for example, the curfew and prohibiting the use of taxis and ordering a special contribution and counter espionage measures.

Q Did the Gestapo make any counter suggestions to the RSHA, and, if so, what were they?

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A The Gestapo, for example, protested concerning counter espionage measures that had been ordered by German authorities because they intensified the resistance movement and were contrary to the regulations of the Gestapo. The result was that the Gestapo was not asked to have a hand in these measures and I know of only two cases where officers of the Gestapo were forced to carry out measures in connection with this order.

Q How was the Gestapo in Denmark armed and how was the resistance movement in Denmark armed?

A When the Gestapo came to Denmark the officers on the whole had only service pistols, there were only a few rifles, some hand grenades and some automatic pistols at their disposal. Arming the Gestapo with automatic pistols was made possible by seizures that had been carried out by the civilian population.

Q What was the relationship of the Gestapo officers who died in connection with this resistance movement as it relates to the entire number of Gestapo officers in Denmark?

A Of about 350 employees of the Department IV, of Danish and German nationals, the following losses took place: Eighty per-cent were killed by British air raids on the offices; about [illegible] forty wounded by the same method; forty to fifty shot by the resistance movement, either on making arrests or on the

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occasion of attacks carried out by the resistance movement, and on the road an estimation of forty were wounded.

Q In the document that I have already mentioned, ~~XXXXXXXX~~ F 666 and RF 317, a pistol duel is mentioned between the members of the resistance movement and the Gestapo. The representation given in this document gives the impression that the Gestapo officers shot Danish Nationals on purpose on the occasion of such arrests, is that correct?

A The fight in Denmark was exceptionally difficult. In order to apprehend one person five Gestapo officers had to be equipped with automatic pistols toward the end. Very often officers were shot at when they approached and very often they were shot at through the closed doors and often fights ensued later on. Usually there were casualties on both sides.

Q Is it correct that the Gestapo officers shot Danes on purpose on the occasions of such arrests?

A No.

Q The report says further that shooting of hostages did not take place in Denmark, is that correct?

A That is correct. The army had only made preparation for an arrest of hostages in case of an invasion and originally the Gestapo had received a general order. Upon our suggestion the preparations for both measures were dropped later on.

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Q It says here that on the 29th of August, 1943, distinguished people were arrested all over Denmark who were interned for a period of several months for the purpose of a general security. Who ordered the release of these arrested parties?

A The arrests had been ordered by the Reich ~~XXX~~ Plenipotentiary or by the army. The release took place by the Gestapo after our office had been founded, because in no case was any complete accusation presented.

Q At the time that the office of the Chief of the Security Police in Denmark was instituted, was there any camp in Denmark with political inmates?

A Yes, the camp I have already mentioned, Froslev.

Q Who was repponsible for the guarding and ~~xxxx~~ administration of this camp?

A Up to the time our office was established the camp had been/~~xxxxxxxxxx~~ administered by the Reich Plenipotentiary and the camp was guarded by members of the order police and administered by the Danish prison authorities.

Q When and for what reason was this camp transferred to the security police?

A When our office was instituted the camp was taken over by them/~~xx~~ as an extended police camp, and only one command of the security police with at least some assistance of our employees. The guarding remained in the hands

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of the German order police and the administration in the hands of the Danish prison administration authorities.

Q What happened later to the inmates?

A The inmates that were later sent there and who were mostly members of the resistance movement remained there for the time that the arrest had been fixed or until they were handed over to courts.

Q In this document ~~F~~ 666 it says that the good condition within this Camp Frŏslev was brought about by the fact that officers of the Danish prison authorities were employed there, is that correct?

A Of course, as the Danish authorities had a hand in the administration there the welfare in the camp was possible to be especially good and these Danish officers were left there or allowed to remain.

Q Have you personally been this camp?

A Yes

Q Was there any systematic mal-treatment or torture of inmates which occurred there?

A No torture or maltreatment ever occurred there.

Q Were the inmates of this camp or any other police detention camp or institution shot by ~~hx~~ the security police upon the approach of allied troops?

A No, all camps and all prisons were ordered to hand over their inmates upon the Allied approach to the Allies or to the Danish authorities.

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MR. MCILWRAITH: What is the name of that camp again?

INTERPRETER: Frōslev.

BY DR. MERKEL:

Q Under whose charge was the police prison in Copenhagen?

A The Polish prison in Copenhagen was guarded and administered by the German order police.

Q Who was entered into this prison?

A All prisoners who were in investigation or in custody or all prisoners who had been found guilty until the time that they were to be transferred.

Q Did any systematic maltreatment or torture occur there?

A I never learned of any such facts and I considered it impossible.

Q Were there instruments and chambers of torture there?

A No, they were to be found nowhere.

Q Were there security police and SD prisons in Denmark?

A There was one arrest building in Copenhagen and the branch offices themselves.

Q Were there any labor training camps in Denmark?

A No.

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Q Were there otherwise in Denmark people who had been maltreated and tortured upon interrogation?

A Only the third degree was ~~xxxxxx~~ applied according to the decree. Maltreatment became known in one or two places and action was taken against the officers concerned.

Q Here on page 3319 and 3320 general cases of maltreatment are mentioned, and on page 3321 individual cases are mentioned, concerning Professor Morgens and Colonel Timroth , what do you know about these cases?

A In both cases third degree interrogations had been approved of. In Colonel Timroth's case the result was that the people were found who had shot the German marching soldiers on the streets of Copenhagen from ambush. As far as ~~xxxxxxxx~~ Professor Morgens is concerned the third degree was approved by the Chief and I do not know the immediate reasons.

Q On the same page, that is, page 3321, it says the following:

"The Court and the Tribunal will say that Dr. Best, the physician, has been able in no way to ~~xxxxxxx

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was only applied when the saving of German lives was concerned, by finding out where arms, explosives and certain murderous groups were kept.

Q On page 3323 of the record, it says the following:

"No order was ever issued to cancel these tortures and never had any of those people who carried out these tortures been called to account by their superiors." What can you say to this?

A All measures that went beyond the third degree were punishable and Dr. Lundt once told me concerning an inmate in Frőslev that maltreatment had been carried out by the branch office in Odensee, and action was taken against the officers.

Q Did any regulation exist aside from these third degree regulations that were issued either by the Reich main security office and the higher SS leaders or the security police in Denmark?

A No, not within the scope of the Gestapo office.

Q If such maltreatment had been carried out systematically would you have heard of it?

A I believe so, yes, as I heard or as I talked to at least seven or eight family members of inmates daily, and if I visited Frőslev, for example, the inmates informed me of such things as in this case.

H0992-0030

Q What do you know concerning the order of third degree interrogations and it's application in Denmark?

A As I already mentioned this regulation was ~~not a maybe~~ may-be carried out regulation and that was only applied with the restriction, when, by it's application, German lives could be saved, as other methods, for example, the counter play of political measures was much more effective.

Q How many such interrogations were approved of on the whole?

A I would estimate twenty for Copenhagen and I don't know how many cases were allowed by the manager of the branch offices.

Q In document 666 there is alleged, among other things, that Himmler decreed that the relations of all intelligence agents should be arrested and interned. How was this decree put into effect?

A I remember two cases where such instructions were received from Himmler and the internment had to be carried out. At our own discretion and risk we released these members later on, approximately all of them. I don't know whether all of them were released.

Q What steps would have been taken against these officers if the RSHA had received knowledge of them?

A Do you mean the leaders? They would have been punished militarily.

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Q Was there a military court of the German police in Denmark?

A Yes

Q What cases were presented there?

A Cases of members of Danish resistance movements who had taken active steps against Germany.

Q According to what regulations were trials carried on there?

A As far as I know according to the competent instructions of the army.

Q Did the Danes consider such trials legal?

A I never heard anything to the contrary.

Q Who instituted this Court?

A As far as I know it was instituted by a decree issued by the Reich Plenipotentiary.

Q When and why was the work of this military court broken off?

A The work of this Court was broken off at the express orders of Adolph Hitler as far as I know in the early part of 1944.

Q Were there SS and police Tribunals in Denmark?

A Yes.

Q What cases did the SS and Police Tribunals handle?

A Criminal cases of members of the Security Police and the SS.

Q I submit a document ~~PS~~ C 46 ~~or 2480,~~ RF280 which

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is a teletype of ~~a title~~ an order by Keitel given on the 30th of November, 1944, ordering arrests of families. How was this carried out?

A As the Reich Plenipotentiary was ppposed to any such measures against members of families the request was approved of by the Reich Plenipotentiary but it was rejected by the Gestapo. The reasons for this rejection was as follows: If sabotage was carried out by members of a factory, according to a military viewpoint, the workers were, as a xx whole, not concerned. If measures had not been taken against the workers the sabotage acts could never have been stopped and the only result would have been that new members would have been created by the resistance movement. The Army kept on making such demands in order that something should be done against sabotage acts, but as the army was not responsible for the combating of sabotage acts, the army could not reprimand or could not take on it's conscience the result that would have come of such measures. This is one of the many cases where outside pressure was put upon the Gestapo to carry out certain actions and which the Gestapo had to refuse to carry out by reason of it's experience.

Q In Document D 547, GB 488, there is an order issued by Jodl that concerns itself with the deportation of members of the Danish army to Germany. Did the security police have a hand in these measures?

A No, someone has put into the head of the

H0992 - 0033

Reichsfuehrer that it might be possible to win by it's own Danish army but for the SS and that was the reason why he wanted to deport them to Germany. Together with other German offices, including that of the office of the Reich Plenipotentiary it was possible to suppress this order.

Q Do you know by whom and when the Nacht and Nebel Decree was issued?

A The Nacht & Nebel decree was issued by the OKW after consultation with the Ministry of Justice. If this decree had made provision for the employment of a special judicial tribunal, as far as I know, the Gestapo was not informed of this decree before hand, because I, as the competent commander in Amt IV, was not informed of it's importance.

Q Was the decree approved of or disapproved of by Amt IV?

A For one thing, purely out of technical reasons, the Gestapo disapproved of this order, because in interrogations and trials distant from the place where the crime had been carried out, without hearing all witnesses and inspection at the place of the crime would have been impossible. Above all, the decree would have brought about just the opposite effect to that which it was supposed to do, that is, it would have intensified the resistance movement.

H0992-0034

Q Was the decree published generally?

A The decree was made known to the security police officers of the occupied territories, and the State Police in the Reich who were to be charged with interrogation and findings concerning the decree. Later it must have also been made applicable to concentration camps, because later on after I had left people were entered into concentration camps in accordance with the nacht and nebel decree.

Q Was the decree put into effect in Denmark.

A No, for the reasons just mentioned we did not carry it out in Denmark because we also had not received any special instructions from Berlin, and, thus, we were able to avoid carrying it out, because we rejected it and disapproved of it.

Q That is to say that no nacht and nebel decree inmates were deported to Germany?

A No.

Q Do you know of any special cases concerning the nacht and nebel decree arrests in your capacity as chief of the Department Western Europe?

A Among the first people who had been arrested in accordance with the nacht and nebel decree by security military police authorities and intelligence authorities, innocent people were found also who had been arrested and we demanded that these people should be released in spite of the decree.

H0992 - 0035

Q What do you know of the Einsatzgruppen and the Einsatz Kommandos, the action groups and the commandos?

A I never had anything to do with these. I only know that formations of the security police were annexed to the army.

Q Did the State Police in Denmark have any special commandos xxx in prisoner of war camps in order to select racially and politically undersirable elements and to exclude them?

A No.

Q Was the so-called "Bullet" decree put into effect in Denmark?

A No.

Q Was the Commando decree carried out there?

A No.

XXXXXXXX XXXXXXXX

Q I shall now turn to the groups of the Netherlands and Norway.

MR. MCILWRAITH: Dr. Merkel, do you intend to submit to the Court the three documents you have handed to the witness?

DR. MERKEL: They have already been submitted as exhibits.

MR. MCILWRAITH: Well you had better cary on for ten minutes on the next subject.

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BY DR. MERKEL:

Q What was the organization of the security police in the Netherlands and Norway at the beginning of the occupation?

A The organization was as follows: At the head was the Chief of the Security Police and under him the following Departments:

I&2 Responsible for administration and business.

3 SD

4 Security police, and then

5 Permanent police and then

6 Foreign intelligence.

And then there were also in Norway Commanders of the Security Police and SD subdivided according to the general plan. In the Netherlands, there were at first Commanders of the Security Police, whose officers were in September, 1940, recalled and changed into the liaison offices.

Q When was the office of the Chief of the Security Police in the Netherlands and Norway instituted?

LIEUTENANT HARRIS: I think the record is wrong. It is being translated "Commanders" as "chief", and we who are listening in German pick it up.

INTERPRETER: Would you prefer that we use the German terms?

LIEUTENANT HARRIS: Yes.

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INTERPRETER: I have been translating it as Chief of the Security Police up until now. Would you rather have it as Commander in Chief?

LIEUTENANT HARRIS (to the Commissioner): Whatever you think is best.

MR. MCILWRAITH: I can't tell the Interpreter what the interpretation is because I don't know.

INTERPRETER: It is a very difficult distinction between all of these.

LIEUTENANT HARRIS: I think it is better to use the German title and in that way it will be clear.

INTERPRETER: I will use the German terms.

MR. MCILWRAITH: Very well.

~~XXXXXXXXXXXXXXXX~~ WITNESS:

A. ~~XX~~ The office was instituted and it ~~xxxxxx~~ continued except for a short time, after it was occupied.

BY DR. MERKLE:

Q Under whose jurisdictionwas the office of the security police in the Netherlands and Norway?

A Under the jurisdiction of the Higher SS and police leaders and the RSHA but also to the Reich Commissar and both of these were immediately subordinate to the Fuehrer.

Q What was the personnel of the offices in the Netherlands and Norway?

A As far as I remember at first almost exclusively Gestapo officers, and later when the personnel problem became

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more acute the officers of the ~~Oreko~~ Kaijo and the security military police who had been drafted by the emergency regulations were also used. I cannot give any estimate.

Q Was the principle in which the amalgamation of the security military police of these offices was carried out the same as you have already depicted it to be for ~~Ex~~ Denmark?

A According to what I have heard it was.

(The commission adjourned at 1700 hours)

Com A
Take 4, page 24
Cook
1530 - 1700
26 June 1946
Hoffman

H0992 - 0039

The foregoing is a true and correct ~~transcript~~ transcript of the testimony of CARL HEINZ HOFFMAN, taken on 26 June 1946

Mabel A. Lesser
Reporter (p 1 - 14)

Robert Good
Reporter (p 15 - 37)

Reporter (p)

CERTIFIED TO:

I. D. McIntosh
Commissioner

Commissioner.

H0992-0040

OFFICIAL TRANSCRIPT OF TESTIMONY FOR THE DEFENSE OF ORGANIZATIONS, TAKEN BEFORE A COMMISSION APPOINTED BY THE INTERNATIONAL MILITARY TRIBUNAL PURSUANT TO PARAGRAPH 4 OF THE ORDER OF THE TRIBUNAL DATED 13 MARCH 1946.

26 June 1946

COMMISSIONER:

Mr. I. D. McIlwraith

THE GESTAPO

(THE COMMISSION CONVENED AT 1420 HOURS)

DR. KARL HEINZ HOFFMANN, a witness, took the stand and testified as follows:

BY THE COMMISSIONER:

Raise your right hand and repeat after me: I swear by God, the Almighty and Omniscient, that I will speak the pure truth and will withhold and add nothing.

(The witness repeated the oath).

Q. What is your full name?

A. Karl Heinz Hoffmann.

Q. You may sit down.

DR. MERKEL: I shall ask this witness questions concerning the tasks, aims, activities and methods of the Security Police in Denmark, the Netherlands, and Norway, from 1940 to 1944, and, secondly, concerning the deportation and arrests of French Statesmen and Generals by the Gestapo.

DIRECT EXAMINATION

BY DR. MERKEL:

Q. Witness, will you please depict very briefly your professional career after you had taken your legal examination?

A. After I had finished my education and passed my legal examination had had been made judge in 1937, I applied for a position with three different authorities. I was employed by the Police and was first given a position as Senior Assistant Judge in the Police Office in Koblenz. Afterwards I was made Deputy there and became Political Consultant for the Government. In 1939 I took over the same position in Duesseldorf. At the outbreak of war I became Consultant of the Inspector of Security Police and after the occupation of the Netherlands I was transferred to the same posit

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in Denmark and was employed with theadministrative work in theoffice of the Commander-in-Chief of Police. In 1940 I was transferred to the Reichs Ministry of the Interior and commandeered to the Office of the Secret State Police. I was there given the division or the desk concerning itself with Western European questions until September 1943. In September 1943 I was transferred to the office of the Chief of State Police in Denmark and was given charge of the Office of the Gestapo Department IV.

Q When did you enter theParty?

A On the 1st of December 1932.

Q When did you enter theSS?

A Within the scope of the coordinating decree in October or November 1939.

Q What was the highest rank you held with the SS?

A SS Sturmbannfuehrer.

Q Had the Gestapo made preparations for training or preparations for employment of its work in Western Europe?

A As I worked as an administrative official with this office in Holland I should have known if any such preparation for training would have been made. No such preparation for training was carried out.

Q Did your office know anything at all concerning the general matters of the government?

A We knewnothing about this. For example, we learned of the occupation of Norway and Denmark, like everyone else, through thepress, and we did not even know anything of the beginning of the west offensive although we worked concerning questions of the Dutch Border that was only 160 kilometers distant.

Q What was the position of the person who had been appointed the representative of the German Ambassador in Denmark after the occupation of Denmark by German troops?

A As Denmark had accepted theproclamation issued by Germany the sovereignty of Denmark was further recognized and the Ambassador remained such with further powers.

Q Did the Reich Plenipotentiary in Denmark have for his assistant, personnel of the Security Police and Gestapo?

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A When theoffices were staffed with additional men later about 10 or 15 men belonging to the criminal police and the statepolice were employed.

Q Did these officials have executive powers in Denmark?

A At first these officials had no executive powers which were left to the Danish police. They were not even allowed to carry out any intelligence work.

MR. MCILWRAITH: Are you reading the answers to these questions?

WITNESS: No.

LT. HARRIS: I would like to see the notes that the witness was using.

(Pencil notes are handed to Lt. Harris)

I would like the record to show that the witness has had in his hands a copy of the questions that the counsel is putting to him and also that there are pencilled notes after each question.

MR. MCILWRAITH: Dr. Merkel, it is perfectly in order for the witness to have notes of his previous occupations and dates but it is not suitable for him to have before him notes from which he will make answer to your questions because that willthrow doubt on the validity of his testimony.

DR. MERKEL: Would you pleane then show in the record that the witness is no longer using my questions?

BY DR. MERKEL:

Q How did you cooperate with the Danish Police?

A The cooperation with the Danish Police, which had already existed beforethe occupation, was continued and the officials who were employed were charged with discussing the questions and problems that cropped up with the Danish Police.

Q Did the Danish Army continue to exist?

A Yes.

Q When and why did any change occur in this?

A Slowly acts of sabotage began to grow in Denmark which brought about a tensening of the relationship between Germany and Denmark. Above all the army urged us to stop these acts of sabotage.

Q Who created the office of the Police Attache in Denmark?

A The Office of the Police Attache was created by the Foreign Offic

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in cooperation with the Gestapo officer in order to coordinate all police work in Denmark and at the same time further respect Danish Sovereignty.

Q Under whose jurisdiction was the Police Attache?

A He was under thejurisdiction for one thing of the Foreign Office and for another thing as far as the fields of work were concerned, under the jurisdiction of the different Police Offices in the Reich, and he of course had to adhere strictly to the regulations laid down by the Reich Plenipotentiary.

Q Were Police Forces reinforced in Denmark at about that time?

A A short time later thepersonnel of the offices was reinforced and at the same time, when the office of the Reichs Plenipotentiary was instituted, who was at that time Dr. Best in Denmark, the Police was allowed to do certain intelligence work in order to combat the resistance movement that was beginning to rise.

LT. HARRIS: May I just inquire as to what time this refers to?

Q To what time does this refer and about how strong was the Police of Denmark at that time?

A This refers to the time between the fall of 1942 and the beginning of 1943, and they were about 40 officials strong at thattime. I can only give an estimate of this number.

Q What attitude did the Gestapo take towards the end of 1942 when acts of sabotage began to occur more frequently?

A The position of the Gestapo at that time was that these acts of sabotage were being carried out in order to provoke Germany to take stricter measures and also stricter measures against thepopulation so as to weaken the authority and in order to enable the resistance movement to increase its activities.

Q When were you in Copenhagen as Deputy of the Chief of Amt IV in order to study relations or conditions there?

A In November and December 1942.

Q Please depict very briefly the situation in Denmark as far as the Security Police was concerned.

A It was proposed at that time to let the sovereignty of Denmark and the administration of the Danish Offices continue to operate so that the Danish Offices themselves should bring about again a situation of order

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all themore as the Lex Orum had been created for Denmark which allowed Denmark to punish Danish National itself. The sentencing of any violators or offenders was to be carried out by Danish Courts as far as possible. At this time, for example, Danish Police also took measures against parachute agents.

Q Why was a state of Martial Law declared in Denmark in 1943 contrary to these laws and the Danish Army disarmed?

A The acts of sabotage and theunrest in cities had increased and the German Army feared steps by the Danish Army in its rear in case an invasion of Denmark should occur.

Q Describe briefly further developments later on.

A When the state of Martial Law was declared the Danish Government withdrew and when, in 1943, 300 Danish Nationals were arrested the situation was such that it was impossible for a new Danish Government to be formed, especially as at this time the deportation of Danish nationals of Jewish faith was being undertaken.

Q When and why was theOffice of the Chief of the Security Police in Denmark instituted?

A After this state of Martial Law had been created, as there was no longer any Danish Army for the protection of the country, the Office of the Chief of Security Police had to be created for theprotection of the interests of the Danes.

Q Does this represent theend of developments in Denmark on the Security Police Sector?

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A. No. Further development, fo course correspondent to the further politic development in this country and the development of the entire military or war situation.

Q. How was the Office of the Chief of the Security Police organized ?

A. The head of the office was the Commander. Under him there was Departmer 1 which concerned itself with questions of personnel and administration; Depa ment III for the SD, Department IV for the State Police, Department V for the Criminal Police and Department VI for intellignece. There were, moreover, thr ghout the country, liaison offices of the Security Police and SD and Frontier Police Commissary Offices.

Q. Under whose jurisdiction was the Chief of the Security Police ?

A. The Chief of the Security Police and the SD was under the jusridiction of the Higher SS and Police Leader. In case of an invasion, that is if in Denmark combat actions were being carried out and in case of Martial Law, he was under the jurisdiction of the military commander-in-chief.

Q. Of what personnel was the office and liaison offices of the B.D.S. compo sed ?

A. Department IV was composed 25 % to 30 % of officials of the criminal department of the State Police reinforced by officials of the Secret Military Police and by Danish Nationals who were used as interpreters and by people who had been drafted for emergency stay of service.

Q. Did the members of the State Police Offices in Denmark volunteer their services or not ?

A. It was not possible to volunteer for service. One was either ordered or transferred.

Q. What were the missions of the Security Police in Denmark ?

A. The misson was the protection of the German Army from attacks and the screening off of Germany from intelligence that left from Denmark by means of agents.

Q. From whom did the Gestapo Offices in Denmark receive their binging in structions and concerning what spheres of work ?

A. The insturctions and bin ing orders were given by the Higher SS and Poli Leader and by the Reichs Main Security Office and any political wishes of the Reichs Plenipotentiary had to be respected.

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In case a state of Martial Law was declared the orders of the military commande had to be carried out.

Q. To what sort of work did the instructions of the Higher SS and Police Leader and to what sort of work did the instructions of the Reichs Main Securi Office concern themselves ?

A. The Higher SS and Police Leader gave instructions concerning questions that rose from Denmark Proper and the Reichs Main Security Offive gave basic instructions.

Q. Why was there a separation of the Offices of the Security Police and the SD in Denmark ?

A. The branch offices were separate because the police had asked that only police officials should be placed in charge of such offices; very often member of the SD also were placed in charge of liaison offices.

Q. What was the mission of the Secret Military Police in Denmark, how stron was it and when were they taken over by the Security Police Office in Denmark

A. Only small numbers of the members of the Secret Field Police handled que tions of police work in Denmark. Later on two groups were transferred to Denmark with thepurpose of being amalgamated by the Security Police. This may have been in the middle of 19th.

Q. Did these members of the Security Military Police volunteer for their p sitions with the Securit, Police or not ?

A. No. They were drafted according to the emergency regulations.

Q. What was the position and the work of the Higher SS and Police Leader in Denmark and under whose jurisdiction was he placed ?

A. The Higher SS and Police Leader was the highest representative of the Po lice in Denmark and under him there were the Order Police, the Security Police the Waffen-SS and all Danish SS formations and also the Schallburg Corps. He was the immediate subordinate of the Reichsfuehrer - SS and held authority as far as his sphere of work was concerned, tha corresponded to that of the mili tary commander and the Reichs Plenipotentiary in Denmark.

Q. You were the head of Department IV, that is the department that concern itself with Gestapo questions. What directives were issued to you ?

A. Our instructions were the protection of the German Army in Denmark, the screening off of Denmark from Germany of espionage to German, at the same time respecting Danish Sovereignty and cooperating with the Danish Police.

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Q. How was the employment of the Danish Police regulated ?

A. The Danish Police were entirely independent of us and restricted only in so far as the German Security Police carried out or held executive power within the framework of the missions just mentioned.

Q. What intention had the Higher Political Leadership Group concerning the employment of the Danish Police ?

MR. McILWRAITH: Is the witness qualified to answer that question ?

DR. MERKEL: In my opinion he is, for he held a very important position with the German Police when they cooperated with the Danish Police and I believe that he can answer.

MR. McILWRAITH: But is a member of the Nazi Leadership Corps ?

DR. MERKEL: No, he was not, but the instructions and the missions that had been taken by this group were told to the police offices in Denmark.

MR. McILWRIATH: Very well.

BY DR. MERKEL:

A. The Commander-in-Cheif of the Security Police and the Higher SS and Police Leader negotiated with the Danish Police concerning the employment of Danish Police in combatting efforts of sabotage. As the State Police considered the cooperation of the Danish Police impossible , it began to carry out its own work independent of the Danish Police.

Q. Was the Danish Police given the list of all the names of the persons that had been arrested by the Security Police Offices in cooperation of their work and why ?

A. These lists were given to the Danish Police so that the Danish Police could see to taking care of the families of the people concerned. There was a decree in the Riehc stating that the State Police had to see to taking care of the families of people arrested by the State Police and that corresponding welfare organizations had to be infirmed. We wanted the use of similar measures to be taken by police in Denmark made possible and we wanted to give the Danish Police an inducement to work loyally as long as possible.

Q. Were offenders given by the Security Police to the Danish Police in order to be tried by Danish Courts ?

H0992 - 0048

A. I remember three cases where Danish Nationals who had helped other Danish Nationals of the Jewish faith to escape to Sweden being handed over to the Danish Police and secondly the Security Police had arrested people who had committed offences which were of criminal character. Members of this group who had been arrested by the German Police authorities were handed over to the Danish Police authorities. Another case concerning the murder of a certain Mrs. Meyer that had been allegedly committed for political reasons when in reality the motive was a criminal one was handed over to the Danish Police after the criminal motive had been established.

Q. What was the answer given to the shootings of German soldiers by members of the Danish resistance movement ?

A. As the State Police assumed that these shootings had been carried out in order to make Germany take more severe measures against Denmark, the State Police employed all the measures allowed to it that had been established by the Higher SS and Police Leader as a general preventive regulation. The State Police was of the opinion that the only steps that could be taken were to find out who the criminals were. As the offenders who stood under army regulations would probably notlet themselves be kept from carrying out such further measures and as any other measures would probably only result in having further numbers or groups of the population enter the resistance movement. On the person of one of the offenders a report concerning the carrying out of an order to liquidate Major Gilbert, a German intelligence office, had been found.

Q. What were the steps taken by the Chief of the Security Police in order to bring about a cooperation with the Danish Police in question of the resistance movement ?

A. The State Police was of the opinion that the Danish Police should only be employed in carrying out meausres that were of national interest to the Danish Police but should not be employed in measures or in work that was in connection with the German interests, as for example, the resistance movement. Therefore the German Police tried to prohibit the formation of all formations that rose from National Socialist organizations in the country and whose Nationals were not Germans.

Q. When and why was the Danish Police finally dissolved ?

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A. The Danish Police was dissolved in December 1944, by the Higher SS and Police Leader and a part of the members of the Danish Police deported to Germany because the German Army considered the Danish Police a threat as being the last bearers of arms in Denmark and the Danish Police had been proved to have played a considerable part in the resistance movement and acts of sabotage. In this connection the Chief of the Order Police in Jutmand was proved to have been guilty of this and also a number of other high police officials.

Q. Did the State Police in Denmark have a hand in this Decree concerning the dissolving of Danish Police offices in Denmark ?

A. The Higher SS and Police Leader had prepared the order for the dissolving and deportation of Danish Police without using the help of the Gestapo. The Gestapo was not given a hand in this until the approval of this Decree had been established by the Higher SS and Police Leader and the Chief of the German Police. The action itself was carried out by the Order Police to whom some officials of the Security Police had been given to assist them in order to secure documents and files and in order to select Danish officials who were thought to be guilty.

H0992 – 0050

Q About how many men were commandeered to take a part in this?

A As very many police stations had to be manned I really cannot estimate the number. There was always one official with every commando that had to man one police station.

Q What alleviations or moderations did the Gestapo manage to procure for the Danish Nationals who had been arrested in this action?

A The following measures were carried out by us because the Gestapo feared a further strengthening or more acute position with the resistance movement. The leading police officials who were known to us were selected in Copenhagen and handed over into honorary custody. The office also managed that the officials who were evidently ill were also eliminated; further they managed that all officials over sixty years of age were eliminated from deportation and we reduced this age limit to 55 at our own discretion. The Danish Red Cross was asked to send packages immediately to these officials because they were not allowed to take any belongings with them. It was further managed that the older officials of the Danish Frontier Gendarmerie could be allowed to remain in Denmark. When we heard that they were to be deported to a concentration camp we applied in Berlin for such a long time until we managed to have them given over into prisoner of war camps. For this reason the Chief of the Security Police made a special trip to Berlin. Later on we continually sent commissions into the camps who were to select individuals and have them returned to Denmark.

Q Did the Gestapo have a hand in the deportation of these 2,000 Danish Police Officials and Frontier Police officials?

A These deportations were carried out by men of the Order Police.

Q How did the Jewish actions in Denmark come about?

A A short time after the institution of the Office of the Security Police in Denmark an order was issued by the Foreign Office and the Reichs Main Security Office in Berlin that a Jewish

H0992-0051

deportation action had to be carried out.

Q What was the attitude of the Chief of the Security Police towards this problem?

A The Security Police in Denmark opposed this measure with all their means because in it they saw the signal key for a general increase of the resistance movement in Denmark.

Q Who carried out this Jewish action - who was responsible for it?

A Special forces of the Order Police had been transferred from Berlin to Denmark for this action and a representative of Eichmann, Sturmbannfuhrer Gunther, went to Copenhagen in order to carry out this action.

H0992-0052

A It carried out this deportation according to it's own ideas and did not meet our demands in anyway to exclude at least the older people from these deportations.

Q On page 3517 and 3518, Document UK 56 RF 335, is mentione an order issued by Jodl on the 22nd of September, 1943, which reads

"This Jewish deportation is to be carried out by Reichsfurhrer of the SS, who is to transfer two battalions to Denmark for this purpose."

Were these two police battalions, battalions of the security police, or could these battalions of the security police in this measure be established from this document in any other way?

A These are battalions of the order police. The only work the security police had to do was to bring up the list from the material that had been placed at the disposal of the security police by the Reich Plenipotentiary, and also to order some of their officers to assist the order police.

Q On page 3521 and 3522 of the German record it says:

"Especially the Danish Jews were placed under this measure, that is, the deportation. A number of them were able to escape into Sweden with the aid of Danish patriots, but about eight or nine thousand people were seized by the Germans and deported.

A At the most five to six hundred persons were deported.

Q How was the seizure of the Jewish property in Denmark carried out?

A A seizure of Jewish property was not carried out. The keys of the flats out of which Jews had been taken were handed over to the social ministry. The security police had further issued an order to prohibit the forcible opening of doors so that this action would not create a still greater disturbance with the population.

Q Was property seized by the security police in Denmark in any other respect?

A I only know that objects were seized that were in immediate connection or execution of carrying out of illegal activities.

MR. MCILWRAITH: Dr. Merkel, have you much more about Denmark?

H0992-0053

DR. MERKEL: I still have some documents to be discussed, at least a half an hour more.

MR. MCILRAITH: I think we shall take a ten minute recess now.

(A ten minute recess is taken)

BY DR. MERKEL:

Q What do you understand by a final solution of the Jewish problem?

A While I worked and consulted with the Gestapo office I learned the following:

First of all the emigration of Jews; second, trans-settlement toward the East, for the first purpose of work, and, second, for the purpose of settlement.

Q When did you learn of the fact that the biological extermination of the Jews had been ordered?

A I heard of this after the capitulation. Before this time I had heard that in Russia or in Poland individual pogroms against the Jews had been carried out.

Q Did you know Eichmann and were you with him frequently either in connection with your work or privately?

A Eichmann formerly belonged to Amt IV.

Q Amt IV of the RSHA?

A He had, however, an office of his own in another part of the city. Although, he participated in the conferences and consultations of Amt IV, no mention was ever made of his problems. As Eichmann had come from the SD, we of the Gestapo had no relation at all to him so that no personal contact developed. He always rejected any suggestions that I made to him to the effect that we of the Gestapo should be used in the deportation of the Jews because of the special knowledge. He, of course, referred to higher orders and considered the use of other departments as useless. Later an acute relationship developed between the two of us because we expected an increase and tightening of the resistance movement because of the measures.

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Q Does the order you have just seen only refer to Denmark or also to the Netherlands, France and Norway?

A That refers to Denmark, Norway, the Netherlands, Belgium and France.

Q From where did you get this information?

A I was head of the Department "Western Europe" of Amt IV.

Q Were arrested people of Denmark handed over to concentration camps in Germany?

A Yes.

Q Who ordered this and what kind of inmates had been selected?

A It was ordered by Berlin and we restricted our selections and took only those people who, according to the regulations, had to expect either capital punishment or a very long imprisonment term. This restricted selection, however, could not be carried out during the first two deportations.

Q In a report of the Danish Government that has been submitted as Exhibit RF 666, RF 317, it is alleged, among other things, that the Danish communists had been sent to Berlin. Did the security police have any part at all in this deportation?

A Yes, this deportation was carried out by

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the security police at the order of Berlin. The arrest of these Danish communis had, however, been carried out by Danish police at the German request at the outbreak of the German-Russian war.

Q. Did any other deportation from Denmark to Germany take place ?

A. Aside from the deportation of Dahish nationals of Jewish faith, and of the Danish police and of the Dahish resistance movement, I know of none.

Q. Were the conditions existing in German concentration camps known in Denmark toward the end of the war ?

A. In 1943 I had seen the concentration camps at Dachau and in Oranienburg and Buchenwald after the request of caring for French politicians. The shelter and food, as far as was shown to me, were good, and I was told that these inmates were even given special ration cards that were normally issued to the heavier and heaviest workers. Because of this fact, we considered the transfer to a concentration camp a lesser punishment than, for example, the pronouncement of the death sentence by German Courts. When in 1944 we noted, by reason of the increased death rate, that conditions there could no longer be very good ones, we tried to refrain from sending these people to concentration camps by extending our own camps at Froslev, and at this time the strict regulations issued by Berlin became less and less so that were given more and more scope in our actions.

Q. Were there any concentration camps in Denmark ?

A. No, only this Polish detention camp in Froslev.

Q. According to what general directives were Danish nationals arrested by the security police in Denmark ?

A. They were arrested only if they had taken an active part in actions against Germany, either by carrying out sabotage, lessening the morale of the army and in support of these offenses.

Q. You said just now that the Danish police took care of the members of a family of people who had been arrested. Was this principle continued after the Danish police was dissolved ?

A. The regulation was as follows :

First, every family member was able to receive information by looking into a file that reported these lists of arrests.

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After fourteen days every person who had a member of his family arrested was able to write letters and send packages and see the arrested person from time to time. Many members who made inquiry of the Danish foreign office concerning the reasonable cause and the probable length of arrest was given information concerning these facts. These questions were discussed several times a week with one of the leading officials of the Danish foriegn ministry, and at certain intervals they were discussed with Hvass, who is now director of the Danish foreign ministry and these discussions were concerning more important cases and specific questions of treatment of these inmates. Moreover, any family member was able to write or deal personally with the department for information and was either given an oral or written reply. Some lawyers were selected to represent these people.

Q. Was the Danish Red Cross given any chance to see to the welfare of inmates and if so, by which ones ?

A. Yes, the Director of the Red Cross was able to select special cases and call them to the attention of the authorities. He was able to donate special Christmas gifts and also special rations of meat if there was any need. Besides this, a Danish physician had been allowed to examine any inmate upon the request of his family but for technical reasons this only applied to Copenhagen.

Q. What counter measures did the Gestapo take to try to prevent the sabotaging of the two orders that had been issued against the resistance movement ?

A. All measures that did not apply to individual persons, for example, the curfew and prohibiting the use of taxis and ordering a special contribution and counter espionage measures.

Q. Did the Gestapo make any counter suggestions to the RSHA, and if so, what were they ?

A. The Gestapo, for example, protested concerning counter espionage measures that had been ordered by German authorities because they intensified the resistance movement and were contrary to the regulations of the Gestapo. The result was that the Gestapo was not asked to have a hand in these measures and I know of only two cases where officers of the Gestapo were forcered to carry out measures in connection with this order.

Q. How was the Gestapo in Denmark armed and how was the resistance movement in Denmark armed ?

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A. When the Gestapo came to Denmark the officers on the whole had only service pistols, there were only a few rifles, some hand grenades and some automatic pistols at their disposal. Arming the Gestapo with automatic pistols was made possible by seizures that had been carried out by the civilian population.

Q. What was the relationship of the Gestapo officers who died in connection with this resistance movement as it relates to the entire number of Gestapo officers in Denmark ?

A. Of about 350 employees of the Department IV, of Danish and German nationals, the following losses took place : eighty per-cent were killed by British air raids on the offices; about forty wounded by the same method ; forty to fifty shot by the resistance movement, either on making arrests or on the occasion of attacks carried out by the resistance movement, and on the road an estimation of forty were wounded.

Q. In the document that I have already mentioned, F 666 and RF 317, a pistol duel is mentioned between the members of the resistance movement and the Gestapo. The representation given in this document gives the impression that the Gestapo officers shot Danish Nationals on purpose on the occasion of such arrests, is that correct ?

A. The fight in Denmark was exceptionally difficult. In order to apprehend one person five Gestapo officers had to be equipped with automatic pistols toward the end. Very often officers were shot at when they approached and very often they were shot at through the closed doors and often fights ensued later on. Usually there were casualties on both sides.

Q. Is it correct that the Gestapo officers shot Danes on purpose on the occasion of such arrests ?

A. No.

Q. The report says further that shooting of hostages did not take place in Denmark, is that correct ?

A. That is correct. The army had only made preparation for an arrest of hostages in case of an invasion and originally the Gestapo had received a general order. Upon our suggestion the preparations for both measures were dropped later on.

H0992-0058

Q. It says here that on the 29th August, 1943, distinguished people were arrested all over Denmark who were interned for a period of several months for the purpose of a general security. Who ordered the release of these arrested parties ?

A. The arrests had been ordered by the Reich Plenipotentiary or by the ar The release took place by the Gestapo after our office had been founded, because in no case was any complete accusation presented.

Q. At the time that the office of the Chief of the Security Police in Denmark was instituted, was there any camp in Denmark with political inmates ?

A. Yes, the camp I have already mentioned, Froslev.

Q. Who was responsible for the guarding and administration of this camp ?

A. Up to the time our office was established the camp had been administered by the Reich Plenipotentiary and the camp was guarded by members of the order police and administered by the Danish prison authorities.

Q. When and for what reason was this camp transferred to the security poli

A. When our office was instituted the camp was taken over by them as extend police camp, and only one command of the security police with at least some assistance of our employees. The guarding remained in the hands

H0992-0059

of the German order police and the administration in the hands of the Danish prison administration authorities.

Q What happened later to the inmates?

A The inmates that were later sent there and who were mostly members of the resistance movement remained there for the time that the arrest had been fixed or until they were handed over to courts.

Q In this document F 666 it says that the good condition within this Camp Froslev was brought about by the fact that officers of the Danish prison authorities were employed there, is that correct?

A Of course, as the Danish authorities had a hand in the administrat there the welfare in the camp was possible to be especially good and these Danish officers were left there or allowed to remain.

Q Have you personally seen this camp?

A Yes.

Q Was there any systematic mal-treatment or torture of inmates which occurred there?

A No torture or maltreatment ever occurred there.

Q Were the inmates of this camp or any other police detention camp or institution shot by the security police upon the approach of allied troops?

A No, all ca mps and all prisons were ordered to hand over their inmates upon the Allied approach to the Allies or to the Danish authorities.

MR. MCILWRAITH: What is the name of that camp again?

INTERPRETER: Froslev.

BY DR. MERKEL:

Q Under whose charge was the police prison in Copenhagen?

A The Polish prison in Copenhagen was guarded and administered by th German order police.

Q Who was entered into this prison?

A All prisoners who were in investigation or in custody or all prisoners who had been found guilty until the time that they were to be transferred.

Q Did any systematic maltreatment or torture occur there?

A I never learned of any such facts and I considered it impossible.

Q Were there instruments and chambers of torture there?

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A No, they were to be found nowhere.

Q Were there security police and SD prisons in Denmark?

A There was one arrest building in Copenhagen and the branch offices themselves.

Q Were there any labor training camps in Denmark?

A No.

Q Were there otherwise in Denmark people who had been maltreated and tortured upon interrogation?

A Only the third degree was applied according to the decree. Maltreatment became known in one or two places and action was taken against the officers concerned.

Q Here on page 3319 and 3320 general cases of maltreatment are mentioned , and on page 3321 individual cases are mentioned, concerning Professor Morgens and Colonel Timroth, what do you know about these cases?

A In both cases third degree interrogations had been approved of. In Colonel Timroth's case the result was that the people were found who had shot the German marching soldiers on the streets of Copenhagen from ambush. As far as Professor Morgens is concerned the third degree was approved by the Chief and I do not know the immediate reasons.

Q On the same page, that is, page 3321, it says the following: "The Court and the Tribunal will say that Dr. Best, the physician, has been able in no way to prevent torture", is that correct?

A I can only say the following concerning this: This Dr. Best evidently said this. I never gave any interrogation to this effect and can only say that the third degree

H0992-0061

was only applied when the saving of German lives was concerned, by finding out where arms,explosives and certain murderous groups were kept.

Q On page 3323 of the record, it says the following:

"No order was ever issued to cancel these tortures and never had any of those people who carried out these otrtures been called to account by their superiors." What can you say to this?

A All measures that went beyond the third degree were punishable and Dr. Lundt once told me concerning an inmate in Frøslev that maltreatment had been carried out by the branch office in Odensce, and action was taken against the officers.

Q Did any regualation exist aside from these third degree regulations th were issued by the Reich main security office and the higher SS leaders or the security police in Denmark?

A No, not within the scope of the Gestapo office.

Q If such maltreatment had been carried out systematically would you hav heard of it?

A I believe so, yes, as I heard or as I talked to at least seven or eigh family members of inmates daily, and if I visited Frøslev, for example, the inmates informed me of such things as in this case.

Q What do you know concerning the order of third degree interrogations and it's application in Denmark?

A As I already mentioned this regulation was a may-be carried out regulation and that was only applied with the restriction, when, by it's applicati German lives could be saved, as other methods, for example, the counter play of po itical measures was much more effective.

Q How many such interrogations were approved of on the whole?

A I would estimate twenty for Copenhagen and I don't know how many cases were allowed by the manager of the branch offices.

Q In document 666 there is alleged, amomg other things, that Himmler decreed that the relations of all intelligence agents should be arrested and interned. How was this decree put into effect?

A I remember two cases where such instructions were received from Himmler and the internment had to be carried out. At our discretion and risk we release these members later on, approximately all of them. I don't know whether all of them were released.

Q What steps would have been taken against these officers if the RSHA had received knowledge of them?

A Do you mean the leaders? They would have been punished militarily.

Q Was there a military court of the German police in Denmark?

A Yes.

Q What cases were presented there?

A Cases of members of Danish resistance movements who had taken active steps against Germany.

Q According to what regulations wae trials carried on there?

A As far as I know according to the competent instructions of the army.

Q Did the Danes consider such trials legal?

A I never heard anything to the contrary.

Q Who instituted this Court?

A As far as I know it was instituted by a decree issued by the Reich Plenipotentiary.

Q When and why was the work of this military court broken off?

A The work of this Court was broken off at the express orders of Adolf Hitler as far as I know in the early part of 1944.

Q Were there SS and police Tribunals in Denmark?

A Yes.

Q What cases did the SS and Police Tribunals handle?

A Criminal cases of members of the Security Police and the SS.

Q I submit a document C 46 RF 28-. which

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is a teletype of an order by Keitel given on the 30th of November, 1944, ordering arrests of families. How was this carried out ?

A. As the Reich Plenipotentiary was opposed to any such measures against members of families the request was approved of by the Reich Plenipotentiary but it was rejected by the Gestapo. The reasons for this rejection was as follows : If sabotage was carried out by members of a factory, according to a military viewpoint, the workers were, as a whole, not concerned. If measur had not been taken against the workers the sabotage acts could never have bee stopped and the only result would have been that new members would have been created by the resistance movement. The Army kept on making such demands in order that something should be done against sabotage acts, but as the army was not responsible for the combating of sabotage acts, the army could not reprimand or could not take on it's conscience the result that would have come of such measures. This is one of the many cases where outside pressure was put upon the Gestapo to carry out certain actions and which the Gestapo had to refuse to carry out by reason of it's experience.

Q. In Document D 547, GB 488, there is an order issued by Jodl, that concer itself with the deportation of members of the Danish army to Germany. Did th security police have a hand in these measures ?

A. No, someone has put into the head of the Reichsfuehrer that it might be possible to win by it's own Danish army but for the SS and that was the reason why he wanted to deport them to Germany. Together with other German offices, including that of the office of the Reich Plenipotentiary it was possible to suppress this order.

Q. Do you know by whom and when the Nacht and Nebel Decree was issued ?

A. The Nacht and Nebel decree was issued by the OKW after consultation with the Ministry of Justice. If this decree had made provision for the employment of a special judicial tribunal, as far as I know, the Gestapo was not informed of this decree before hand, because I, as the competent commander in Amt IV, was not informed of it's importance.

Q. Was the decree approved of or disapproved of by Amt IV?

A. For one thing, purely out of technical reasons, the Gestapo disapproved of this order, because in interrogations and trials distant from the place where the crime had been carried out, without hearing all witnesses and ins-

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pection at the place of the crime would have been impossible. Above all, the decree would have brought about just the opposite effect to that which it was supposed to do, that is, it would have intensified the resistance movement.

Q. Was the decree published generally ?

A. The decree was made known to the security police officers of the occupie territories, and the State Police in the Reich who were to be charged with interrogation and findings concerning the decree. Later it must have also been made applicable to concentration camps, because later on after I had left peop were entered into concentration camps in accordance with the Nacht and Nebel Decree.

Q. Was the decree put into effect in Denmark ?

A. No, for the reasons just mentioned we did not carry it out in Denmark because we also had not received any special instructions from Berlin and thus we were able to avoid carrying it out, because we rejected it and disapproved of it.

Q. That is to say that no nacht and nebel decree inmates were deported to Germany ?

A. No.

Q. Do you know of any special cases concerning the nacht and nebel decree arrests in your capacity as chief of the Department Western Europe ?

A. Among the frist people who had been arrested in accordance with the nach and nebel decree by security military police authorities and intelligence auth rities, innocent people were found also who had been arrested and we demanded that those people should be released in spite of the decree.

Q. What do you know of the Einsatzgruppen and the Einsatz Kommandos, the action groups and the commandos ?

A. I never had anything to do with these. I only know that formations of t security police were annexed to the army.

Q. Did the State Police in Denmark have any special commandos in prisoner o war camps in order to select racially and politically undersirable elements an to exclude them ?

A. No.

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Q. Was the Commando decree carried out there ?

A. No.

Q. I shall now turn to the groups of the Netherlands and Norway.

MR. McILWRAITH: Dr. Merkel, do you intend to submit to the Court the three documents you have handed to the witness ?

DR. MERKEL: They have already been submitted as exhibits.

MR. McILWRIATH: Well you had better cary on for ten minutes on the nex subjcct.

H0992-0066

BY DR. MERKEL:

Q What was the organization of the security police in the Netherlands and Norway at the beginning of the occupation?

A The organization was as follows: At the head was the Chief of the Security Police and under him the following Departments:

1 & 2 Responsible for administration and business

3 SD

4 Security Police, and then

5 Permanent police and then

6 Foreign intelligence.

And then there were also in Norway Commandos of the Security Police and SD subdivided according to the general plan. In the Netherlands, there were at first Commanders of the Security police, whose officers were in September 1940 recalled and changed into the liaison offices.

Q When was the office of the Chief of the Security Police in the Netherlands and Norway instituted?

LIEUTENANT HARRIS: I think the record is wrong. It is being translated "Commanders" as "chief", and we who are listening in German pick it up.

INTERPRETER: Would you prefer that we use the German terms?

LIEUTENANT HARRIS: Yes.

INTERPRETER: I have been translating it as Chief of the Security Police up until now. Would you rather have it as Commander-in-Chief?

LIEUTENANT HARRIS (to the Commissioner): Whatever you think is best.

MR. MCILWRAITH: I can't tell the Interpreter what the interpretation is because I don't know.

INTERPRETER: It is a very difficult distinction between all of these.

LIEUTENANT HARRIS: I think it is better to use the German title and in that way it will be clear.

MR. MCILWRAITH: Very well.

WITNESS:

A The office was instituted and it continued except for a short time, after it was occupied.

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BY DR. MERKEL:

Q Under whose jurisdiction was the office of the security police in the Netherlands and Norway?

A Under the jurisdiction of the higher SS and police leaders and the RSHA but also to the Reich Commissar and both of these were immediately subordinate to the Fuehrer.

Q What was the personnel of the office in the Netherlands and Norway?

A As far as I remember at first almost exclusively Gestapo office and later when the personnel problems become more acute the officers of the Kripo and the security military police who had been drafted by the emergency regulations were also used. I cannot give any estimate.

Q Was the principle in which the amalgamation of the security military police of these offices was carried out the same as you have already depicted it to be for Denmark?

A According to what I have heard it was.

(The Commission adjourned at 1700 hours)

The foregoing is a true and correct transcript of the testimony of CARL HEINZ HOFFMANN, taken on 26 June 1946.

Mabel A. Lesser
Reporter

Rose W. Cook
Reporter

CERTIFIED TO:

I. D. McIlwraith
Commissioner